

Issue	Executive Order	Senate Democrats	Senate Republicans	Colorado, SB 20-217
Bodycams				<p>All law enforcement agencies must issue bodycams by July 1, 2023. Officers must activate bodycams when “responding to a call for service or during any interaction with the public initiated by the peace officer, when enforcing the law or investigating possible violations of the law.” Exceptions for undercover work. Sanctions for non-compliance. Bodycam videos to be released to public within 21 days. Any video that would substantially interfere with or jeopardize an active or ongoing investigation may be withheld from the public; except that the video shall be released no later than forty-five days from the date of the allegation of misconduct.</p> <p>Mandates redaction for “substantial privacy concerns” such as nudity,</p>

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				<p>sexual assaults, victim interviews, etc.</p> <p>Provides for discipline up to and including termination and one-year suspension of POST certificate for intentionally failing to activate a bodycam. If the incident involved the death of a civilian, revocation is permanent.</p>
Carotid holds		Banned, or lose DOJ funding.		
Chokeholds	Credentialing bodies must forbid the use of “chokeholds — a physical maneuver that restricts an individual’s ability to breathe for the purposes of incapacitation — except in those situations where the use of deadly force is allowed by law.”	Banned, or lose DOJ funding.		
Civil rights investigations		Grant the DOJ subpoena power in “pattern and practice” investigations.		
Database about law enforcement officers	AG to create database containing information on terminations or de-certifications of law enforcement officers,	Require states to report all uses of force to the DOJ, and begin a “federal registry of police misconduct.”		Mandates reporting to and creation of database of all use of force resulting in death or serious bodily injury, all

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	<p>criminal convictions of law enforcement officers for on-duty conduct, and civil judgments against law enforcement officers for improper use of force. The database shall account for instances where a law enforcement officer resigns or retires while under active investigation related to the use of force. AG to “take appropriate steps to ensure that the information in the database consists only of instances in which law enforcement officers were afforded fair process.” DOJ funding withheld if local agency does not provide information for database. Anonymized public reporting of contents of database.</p>			<p>resignations while under investigation, all data relating to stops and contacts, and all data related to the use of an unannounced entry by a peace officer. The information reported must include the perceived demographic information of the person contacted, provided that the identification of these characteristics is based on the observation and perception of the officer. Demographic information includes race, ethnicity, sex, and age.</p>
Deadly Force				<p>Deadly force can only be used when “necessary to effect an arrest or prevent escape from custody when the person is using a deadly weapon or likely</p>

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				<p>to imminently cause danger to life or serious bodily injury.”</p> <p>“A peace officer is justified in using deadly force if the peace officer has an objectively reasonable belief that a lesser degree of force is inadequate and the peace officer has objectively reasonable grounds to believe, and does believe, that he or another person is in imminent danger of being killed or of receiving serious bodily injury.”</p> <p>Other officers must intervene to stop unlawful use of force. Misdemeanor violation, with possibility of felony “if supported by the evidence.” Mandatory discipline and permanent decertification.</p>
DOJ Certification / Credentialing	DOJ grant money only payable to jurisdictions “in the process of seeking appropriate credentials			

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	<p>from a reputable independent credentialing body certified by the Attorney General.”</p>			
<p>Grant programs</p>	<p>AG to propose new legislation to Congress to enhance grant programs to assist with credentialing, training and technical assistance “to adopt and implement improved use-of-force policies and procedures, including scenario-driven de-escalation techniques,” to aid with the retention of high-performing law enforcement officers and recruitment of law enforcement officers who are likely to be high-performing; to provide confidential access to mental health services for law enforcement officers; and to provide programs aimed at developing or improving relationships between law enforcement and the communities they serve.</p>			

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Indemnification				Employers required to indemnify officers for damages assessed for violations of Colorado constitution. However, if the employer decides the officer did not act upon a good faith and reasonable belief that the action was lawful, then the officer is personally liable for 5 percent of the judgment or \$25,000, whichever is less.
Lawsuits against police				Allows civil lawsuits for violation of the Colorado constitution. Prevailing plaintiff entitled to attorney fees; prevailing defendant only entitled to attorney fees if the lawsuit was frivolous.
Mental health	AG and Secretary of Health and Human Services to “identify and develop opportunities to train law enforcement officers with respect to encounters with individuals suffering from impaired mental health, homelessness, and addiction; to increase the			

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	<p>capacity of social workers working directly with law enforcement agencies; and to provide guidance regarding the development and implementation of co-responder programs, which involve social workers or other mental health professionals working alongside law enforcement officers so that they arrive and address situations together.”</p>			
Military-grade weapons		Restrict transfer to state and local agencies.		
No-knock warrants		Stop federal use of no-knock warrants, and condition DOJ grants on recipients not using no-knock warrants.		
Police contacts				<p>Officers must have a legal basis for making a contact, whether consensual or nonconsensual, for the purpose of enforcing the law or investigating possible violations of the law. The officer must report extensive</p>

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				<p>information to the employer about each contact, including the perceived demographic information, the time, date, location, reason, result, and duration of the contact, and the actions taken by the officer during the contact.</p>
POST Certification				<p>Officers convicted of or pleading to “any inappropriate use of physical force or a crime involving the unlawful use or threatened use of physical force, or for failing to intervene to prevent inappropriate use of physical force” shall be automatically terminated and POST will permanently revoke their certifications.</p> <p>POST allowed to decertify officers who have not completed POST-mandated training.</p>
POST Database				<p>POST required to create and maintain a database containing information related to untruthfulness,</p>

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				repeated failure to follow POST training requirements, decertification, and termination for cause.
Protests				Prohibits the use of all non-lethal projectiles in a manner that targets the head, pelvis, or back, the discharge of kinetic impact projectiles indiscriminately into a crowd, or the use of chemical agents prior to issuing an order to disperse and allowing time and space for compliance.
Qualified Immunity		Reform qualified immunity.		Qualified immunity not a defense to civil actions brought under the Colorado constitution.
Standards for credentialing bodies	"Should address certain topics in their reviews, such as policies and training regarding use-of-force and de-escalation techniques; performance management tools, such as early warning systems that help to identify officers who may require intervention; and best			

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	practices regarding community engagement.”			
Statutes on criminal police conduct		Change federal standard from “willful” to “knowing or with reckless disregard.”		
Training		Require federal law enforcement to provide racial bias and implicit bias training, and condition DOJ grant money on the same training be provided at the state and local level.		
Use of Force				A peace officer may use physical force only if nonviolent means would be ineffective in effecting an arrest, preventing an escape, or preventing an imminent threat of serious bodily injury or death to the peace officer or another person.